

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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ROSSANA CAPONETTO,

Plaintiff,

-against-

22 CIVIL 10423 (JHR)

**JUDGMENT**

LARRY MULLEN, et al.,

Defendant.

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It is hereby **ORDERED, ADJUDGED AND DECREED:** That for the reasons stated in the Court's Opinion & Order dated August 1, 2025, “[W]here a court lacks subject matter jurisdiction, it also lacks the power to dismiss with prejudice.” Charles v. Levitt, 716 F. App’x 18, 22 (2d Cir. 2017). The Complaint is dismissed without prejudice; accordingly, the case is closed.

**Dated:** New York, New York

August 1, 2025

**TAMMI M. HELLWIG**

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**Clerk of Court**

**BY:**

*K. mango*

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**Deputy Clerk**